

PROB 12C-DC
(Rev. 05/07)

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

U.S. Probation Office Petition
(Petition for Warrant)

Sentencing Judge: James Robertson
United States District Judge

Date: October 19, 2009

Name of Offender: Saffell, Louis

Docket Number: 01:99CR0217-01

Offense: Bank Robbery

Original Date of Sentence: September 13, 1999

Sentence: 86 months imprisonment, 60 months supervised release, \$100 special assessment. Special condition(s) as follows:

- Drug Treatment and
- Mental Health Treatment

Revocation: Supervised release revoked on May 19, 2008. Sentenced to six months imprisonment followed by 54 months supervised release.

Supervision Began: September 11, 2009

Supervision Expires: March 10, 2014

The probation officer believes the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance
1. The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons. (Standard Condition)

Mr. Saffell was released from custody on September 11, 2009. He failed to report to the U.S. Probation Office within 72 hours of his release.

Mr. Saffell's current whereabouts are unknown.

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Sentencing Options

Guideline Provisions:

Grade of Violation: C. USSG §7B1.1(a)(3)

Criminal History Category: V

Imprisonment

7 to 13 months. USSG §7B1.4(a). Upon a finding of a Grade C violation, the Court may (A) revoke supervised release; or (B) extend the term of supervised release and/or modify the conditions of supervision. USSG §7B1.3(a)(2).

Statutory Provisions

Imprisonment:

The maximum term of imprisonment upon revocation of supervised release is 30 months for a Class B felony.¹ 18 USC § 3583(e)(3).

Supervised Release:

The maximum term of supervised release is 36 months for a Class B felony.² 18 USC § 3583(b)(1).

Reimposition of Supervised Release:

If the Court imposes a term of imprisonment that is less than the statutory maximum term of imprisonment, a term of supervised release may be reimposed. The new term of supervised release shall not exceed the authorized term of supervised release, less the term of imprisonment imposed for the revocation (30 months). 18 USC § 3583(b)(1) and USSG §7B1.3(g)(2).

Factors for Consideration:

The Court is required to impose a sentence that is sufficient, but not greater than necessary to comply with 18 USC § 3553(a) which outlines the factors to be considered in the case of a modification of conditions or revocation of supervised release.

¹The maximum term of imprisonment upon revocation of supervised release is 36 months for a Class B felony; however, given the prior six month revocation, the maximum period is 30 months.

²The maximum term of supervised release is 36 months for a Class B felony; however, given the prior six month revocation, the maximum term that can be reimposed is 30 months.

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In addition to considering the applicable guidelines or policy statements issued by the U.S. Sentencing Commission, the Court must also consider the need to afford adequate deterrence to criminal conduct; to protect the public from further crimes of the defendant; and to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner. The Court shall also consider the nature and circumstances of the offense, the history and characteristics of the defendant.

A district judge may designate a magistrate judge to conduct hearings to modify, revoke, or terminate supervised release. 18 USC § 3401(i) and LcrR 59.2(a)(2).

Notice of Objection: If this matter is referred to a magistrate judge for a report and recommendation, the local criminal rule of this Court requires counsel for the defense and government to submit any written objection to the report and recommendation for consideration to the district judge within 10 days after the parties are notified. Failure of a party to timely file objection(s) to the report and recommendation may waive appellate review of a District Court's order, adopting a magistrate judge's report. LcrR 59.2(b).

Notice of Appeal: If a magistrate judge's recommendation is for revocation of supervision and if the district judge issues an order concurring, counsel for the defense and government have 10 days from the date the district judge issues the revocation order to appeal the sentence. 18 USC 3742.

Supervision Adjustment: Unsatisfactory. Mr. Saffell's whereabouts are unknown.

Telephonic contact was made with Mr. Saffell on September 17, 2009, instructing him to report to the U.S. Probation Office on September 22, 2009. He failed to comply. Unsuccessful home visits were attempted at Mr. Saffell's last two known address. Two subsequent appointment notices for October 6, 2009, and October 9, 2009, were forwarded to Mr. Saffell's last two known addresses. He failed to report for or respond to either letter.

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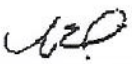
On October 9, 2009, I contacted CSOSA Officer Brawner to inquire if Mr. Saffell reported to her following his release from custody. She reported telephonic contact was made with Mr. Saffell following his release. However, Mr. Saffell failed to keep his appointments with her, has not returned her phone calls or responded to her correspondence.

Recommendation:

Issue an Arrest Warrant for Mr. Louis Saffell.

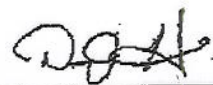
I declare under penalty of perjury that the foregoing is true and correct.

By:


2009.10.20
09:11:42 -04'00'
Michael Segal, Psy.D.
U.S. Probation Officer
(202) 565-1460

Date

Approved By:


September 19, 2009
Darryl L. Hughes
Supervising U.S. Probation Officer
(202) 565-1328

Date

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AO 442 (Rev. 08/07) Warrant for Arrest

UNITED STATES DISTRICT COURT

District of

Fid # 381869

UNITED STATES OF AMERICA

V.

LOUIS SAFFELL

WARRANT FOR ARREST

Case Number: 99CR00217-1

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest LOUIS SAFFELL

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

- ☐ Indictment ☐ Information ☐ Complaint ☐ Order of court
☐ Pretrial Release ☐ Probation ☒ Supervised Release ☐ Violation Notice
Violation Petition Violation Petition Violation

charging him or her with (brief description of offense)

Bank Robbery by Force or Violence

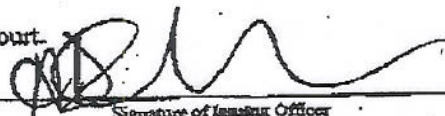
- ☐ in violation of Title _____ United States Code, Section(s) _____
☐ in violation of the conditions of his or her pretrial release imposed by the court.
☒ in violation of the conditions of his or her supervision imposed by the court.

Anjanie Desai

Name of Issuing Officer

Deputy Clerk

Title of Issuing Officer



Signature of Issuing Officer

11/23/09 District of Columbia

Date and Location

RETURN

This warrant was received and executed with the arrest of the above-named individual at

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		